

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR-11-00291 SBA
Plaintiff,) ORDER GRANTING STIPULATED
v.) REQUEST TO CONTINUE CHANGE OF
MICHAEL JACOB SANCHEZ,) PLEA AND SENTENCING TO
Defendant.) DECEMBER 15, 2011 AND TO
) EXCLUDE TIME UNDER THE SPEEDY
) TRIAL ACT
) Date: October 27, 2011
) Time: 10:00 a.m.
) Court: Hon. Saundra Brown
) Armstrong

The parties jointly requested that the change of plea and sentencing hearing in this matter set for October 27, 2011 be continued to December 15, 2011 at 10:00 a.m. The parties further requested that time be excluded pursuant to the Speedy Trial Act between September 21, 2011 and December 15, 2011 for (1) effective preparation of counsel, taking into account the exercise of due diligence, and (2) for consideration by the Court of a proposed plea agreement to be entered into by the defendant and the attorney for the government.

The parties previously submitted a proposed plea agreement for the Court's consideration. Accordingly, in order to allow time for the Court to consider the proposed plea agreement and the Pre-Plea Presentence Investigation Report ("PSR"), the parties stipulated and agreed that the time between September 21, 2011 and December 15, 2011 should be excluded pursuant to the Speedy Trial Act, and specifically pursuant to 18 U.S.C. § 3161(h)(1)(G), for

1 consideration by the Court of a proposed plea agreement to be entered into by the defendant and
2 the attorney for the government. Defendant continues to agree that the Court may review the
3 PSR even though he has not yet pleaded guilty.

4 Additionally, in light of the parties' need to review and respond to the PSR, the parties
5 agreed the ends of justice served by granting the continuance outweigh the best interests of the
6 public and defendant in a speedy trial. Therefore, the parties further stipulated and requested
7 that the Court exclude time between September 21, 2011 and December 15, 2011 pursuant to the
8 Speedy Trial Act for effective preparation of counsel and pursuant to 18 U.S.C. §§
9 3161(h)(7)(A) and (B)(iv).

10 Good cause appearing therefor, and pursuant to 18 U.S.C. §§ 3161(h)(1)(G) and
11 3161(h)(7)(A) and (B)(iv),

12 **IT IS HEREBY ORDERED** that this matter is continued to December 15, 2011 at 10:00
13 a.m. for change of plea and sentencing, and that time between September 21, 2011 and
14 December 15, 2011 is excluded pursuant to the Speedy Trial Act, and specifically pursuant to (1)
15 18 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement to be
16 entered into by the defendant and the attorney for the government, and (2) 18 U.S.C. §§
17 3161(h)(7)(A) and (B)(iv), for effective preparation of counsel.

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19 DATED: 9/22/11



HON. SAUNDRA BROWN ARMSTRONG
United States District Judge

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STIP. REQ. TO CONTINUE CHANGE OF PLEA & SENTENCING
TO DECEMBER 15, 2011 & TO EXCLUDE TIME
No. CR-11-00291 SBA